

Morrison County Board of Adjustment
Morrison County Government Center Board Room

Minutes

May 17, 2022

Dave Stish called the meeting of the Morrison County Board of Adjustment to order at 6:34 p.m.

Members Present: Dave Stish, Brent Lindgren, Dave Brutscher, Clint Katherine and Marvin Trettel.

Members Absent: None

Ex-Officio Members Present: Amy Kowalzek and Sharon Peterson

Ex-Officio Members Absent: Robert Wall and Shannon Wettstein

County Commissioners: Greg Blaine

County Commissioners Absent: Randy Winscher, Mike LeMieur, Mike Wilson and Jeff Jelinski

Other Members:

Pledge of Allegiance

1. Daniel & Anne Ackmann – 31575 Lowry Circle; Cushing, MN 56443 – Application for a Variance to add onto a non-conforming structure; located in Lot 14 of L Wood Acres, Section 28, Township 132, Range 31, Scandia Valley Township.

Daniel & Anne Ackmann were present.

Amy Kowalzek entered into record sections 301, 301.6, 706.1 and 706.3 of the Morrison County Land Use Ordinance, plat map with the parcel location, variance application, background information questions, storm water plan from the applicant, three (3) site plans/surveys, two (2) renderings of the proposed home addition, aerial photo, aerial photo showing contour lines, aerial photo, lake view photo, ten (10) site photos, staff report, site plan/survey with available building envelope. There were 124 notices sent to neighboring property owners. There was no comment was received prior to the public hearing. Amy entered the finding of fact and decision questions.

Marvin Trettel stated the property was recently purchases. Did you know this was a non-conforming structure when you purchased it? Daniel Ackmann stated they were not. Marvin asked if the addition was proposed at the time it was purchased. Daniel stated they were not planning on an addition this soon.

Dave Stish asked if this is a seasonal cabin. Daniel Ackmann stated it is now but if the addition gets approved it will become a year-round home at some point.

Dave Brutscher stated there is only 5 feet of the structure within the setback. The lake shore is mostly all natural.

Dave Stish stated there is nothing within the setback but the corner of the home. Most of the time there are other things in this area.

Clint Kathrein asked if the driveway is an easement. Daniel Ackmann stated it is. Dave Stish stated there is a driveway on the north as well. Daniel stated this is correct.

Dave Stish asked about the stormwater plan that was submitted. Dave asked if a stormwater plan could be developed with the Land Services Department to contain the stormwater. Daniel Ackmann stated they are also looking into a restoration plan for the property. Dave stated there is moss and bare spots on the property. Possible condition.

Dave Stish asked about the cut-out area off the other driveway. Daniel Ackmann stated they are not sure why that is there, we did not create this. Anne Ackmann stated that in the past this was two lots and people were using the garage to stay in and using this area for recreation. Daniel stated they do not plan to use this area.

Audience Comment: None

Dave Stish stated Dave Stish, Marvin Trettel, Brent Lindgren, Clint Kathrein and Sharon Peterson viewed the property on May 13, 2022. Dave Brutscher viewed the property on May 17, 2022.

The voting sheets were polled.

A motion was made by Clint Kathrein to approve the Variance request with one condition. The motion was seconded by Dave Stish. The vote was all in favor.

2. Roger & Terra Pohlkamp – 31808 18th Ave; Cushing, MN 56443 – Application for a Variance to rebuild and add onto a non-conforming structure; located in pt of Gov Lots 1 & 2, Section 30, Township 132, Range 31, Scandia Valley Township.

Roger & Terra Pohlkamp were present.

Amy Kowalzek entered into record sections 301, 301.6, 706.1 and 706.3 of the Morrison County Land Use Ordinance, plat map with the parcel location, variance application, background information questions, site plan, site survey, rendering of the proposed structure, two (2) aerial photos, lake view photo, seven (7) site photos, staff report, approval of 2017 variance with findings of facts, aerial photo showing setback lines, letter from Scandia Valley Township and impervious surface calculation sheet. There were 117 notices sent to neighboring property owners. There was one comment received prior to the public hearing. Amy entered the finding of fact and decision questions.

Dave Stish asked to clarify that the survey was for the neighbor's property. Terra Pohlkamp stated this is what the surveyor gave me. Dave stated that looking at Beacon if you move the home back 10' then you will encroach on the neighbor's property. Roger Pohlkamp stated that is not correct. Terra stated she has walked the property line with the neighbor, and we will not encroach on the neighbor's property. Roger stated the cabin is about 30 feet from the back line now. Amy Kowalzek stated Beacon cannot be used to identify property lines.

Marvin Trettel stated that the shore impact zone (first 50 from the lake) is the most sensitive. The cabin is 43' from the lake now.

Amy Kowalzek stated that the west property line will be a side yard setback of 10'.

Amy Kowalzek stated that an applicant can replace what they had were they had it. Can change the roof pitch but cannot gain any livable space.

Dave Brutscher stated we should proceed with the application as presented.

Marvin Trettel stated he is particular about impervious surface. Would like to see the patio removed to improve the impervious surface. Also complete a stormwater plan with the Shoreland Specialist.

Audience Comment: None

Dave Stish stated Dave Stish, Marvin Trettel, Brent Lindgren, Clint Kathrein and Sharon Peterson viewed the property on May 13, 2022. Dave Brutscher viewed the property on May 17, 2022.

Proposed conditions were discussed.

The voting sheets were polled.

A motion was made by Clint Kathrein to approve the Variance request with four conditions. The motion was seconded by Dave Stish. The vote was three in favor and Dave Brutscher opposed.

The public hearing was closed at 8:38 p.m.

A motion was made by Marvin Trettel to approve the April 26, 2022 minutes. The motion was seconded by Dave Stish. The vote was all in favor.

Correspondence - None

New business – None

Old business – None

A motion was made by Brent Lindgren to adjourn the meeting. The motion was seconded by Dave Stish. The vote was all in favor.

With no further business at hand, the hearing was closed at 8:39 p.m.

Respectfully submitted,

Dave Stish, Chairperson
Marvin Trettel, Vice-Chairperson
Brent Lindgren, Secretary
Amy Kowalzek, Appointed Secretary
Morrison County Board of Adjustment